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**VIRGINIA IN 1678-1679.**

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(Abstracts by W. N. SAINSBURY, and copies in the McDonald  
and De Jarnette Papers, Virginia State Library.)  
(Continued)

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Whitehall Feb. 18, 1678-9.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS.  
Several heads of Instructions for Lord Culpeper are read and approved; such as relate unto the Church being put off 'till Thursday next. To move his Maj. that some men of War be appointed to cruize off the Channel to protect a considerable fleet of homeward bound ships from the Algerines. On reading petition of Col. Augustine Warner to except Capt. Bird(1), one of the late rebels in Virginia out of the Act of Indemnity which is preparing, by reason of petitioner having obtained a judgment of £1000 against him, it is referred to the Attorney General.

(Colonial Entry Bk. No. 105. p. 311.)

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Whitehall, Feb. 24, 1678-9.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS.  
Draught of an Act of Indemnity for Virginia being presented to the Committee their Lordships think ft to refer it to M<sup>r</sup> Attorney General.

(Colonial Entry Bk. No. 103. p. 314.)

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Feb. 26, 1678-9.

LORDS OF THE COMMITTEE OF TRADE AND PLANTATIONS.  
TO [THE ATTORNEY GENERAL?] For his report upon a Draught of an Act of Indemnity for Virginia prepared by his Maj. Order in Council, whether it be agreeable to same and in a legal form and desiring him to make such alterations as he shall find necessary. Draft.

(Colonial Papers.)

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(1) William Byrd the first of Henrico Co. and of "Westover."

Feb. 26, 1678-9.

DEFOSITION ON OATH OF MAJOR ROBERT BRISTOW(2) late of Virginia but now of London, Merchant: that upon delivery up of West's Point the Rebels laid down their arms and dispersed themselves—that Sir Wm. Berkeley & his party then came ashore and went to Green Spring, and afterwards caused several persons estates to be seized including a parcel of tobacco belonging to Alexander Walker of Virginia.

(Colonial Papers, 1. p.)

Whitehall, Feb. 28, 1678-9.

WARRANT BY THE KING TO THE ATTORNEY OR SOLICITOR GENERAL to prepare a Bill for his Maj. signature containing a Grant of the office of Secretary of Virginia to Nicholas Spencer(3) from the date of the death of Thomas Ludwell late Secretary: with power to execute the same by Deputy.

(Colonial Papers. 1. p. see 12 May 1675.)

Whitehall, March 4, 1678-9.

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS. Report prepared by order of the Committee for the disptach of Lord Culpeper is read and approved, whereupon the Earl of Sunderland delivers a paper containing an Instruction to Lord Culpeper for disposal of the Revenue in Virginia approved by his Majesty & to be added to his Lordship's Instructions. Paper read from the Bishop of London concerning the Church in Virginia, Lord Culpeper to confer with the Bishop and to agree upon heads fit to be inserted in his Instructions. Petition of Robert Ayleway read touching his Patent of the Auditor's Place of Virginia, to be postponed until Sec. Coventry be present.

(Colonial Entry Bk No. 105. pp. 317-318.)

(2) Robert Bristow, second son of Robert Bristow, Esq. of Ayot St. Lawrence, Hertfordshire, was born in 1643, and settled in Virginia about 1660. He returned to England soon after Bacon's Rebellion and at his death in 1707 was "of the parish of St. Gabriel Fenchurch, London, merchant." He owned large landed estates in Virginia, which were possessed by his descendants (not residents in Virginia) for several generations. See this Magazine XIII, 59-62.

(3) Nicholas Spencer, 2d son of Nicholas Spencer, Esq. of Cople, Bedfordshire, came to Virginia about 1659. He was a member of the House of Burgesses, Secretary of State, President of the Council and Acting Governor. See this Magazine I, 33, 34.

Virginia March 10, 1678-9

MISTRESS SUSAN JEFFREYS(4) TO SECRETARY COVENTRY. Her most deplorable condition caused by Col. Spencer, Lord Culpeper's attorney, who lays claim against her for all perquisites since her husband's arrival, notwithstanding the wording of the King's letter. Has offered to give security, but that will not satisfy therefore 'tis plain they seek her life in malice. Begs his intercession with the King on her behalf.

(Colonial Entry Bk. No. 80. pp. 305-306.)

Whitehall, March 14, 1678-9

ORDER OF THE KING IN COUNCIL ON REPORT OF COMMITTEE FOR TRADE AND PLANTATIONS of 18 February last touching Lord Culpeper's Commission and Instructions as Governor of Virginia, recommending that his Maj. revoke the Grants(5) to the Earls of St. Alban and Arlington, Lord Culpeper & others according to his gracious promise made to the Country satisfying the patentees for their interests: that the Quit rents be applied to building one considerable Fort: that James Town be speedily rebuilt and be the Metropolis of Virginia as the most ancient & convenient place: that they cannot advise that displaced Councillors should be incapable of being chosen into the Assembly as in Jamaica: that all persons of what degree or quality soever be obliged to take the Oath of Allegiance: that furniture be sent for 200 Dragoons with tents to enable the Gov<sup>r</sup> to mount foot soldiers to prevent incursions from the Indians: that after Lord Culpeper's departure a mace & a sword be sent to Virginia with furniture for his Lordships' chappel also that the presents to the Indian Princes be forthwith delivered to his Lo<sup>p</sup>: that all writs be issued in his Maj. name only: that Sir Hen. Chicheley, Colonels Nath. Bacon, Wm. Cole, Daniel Parks, Tho. Swann, Robt. Smith, Nich. Spencer, Rowland Place, Ralph Wormley, Augustine Warner, Jos. Bridger, Major Richard Lee, Major General Custis, and Francis Leigh be continued in the Council: that Colonels Ballard Bray and Philip Ludwell, for their unworthy behaviour and

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(4) The widow of Governor Herbert Jeffreys.

(5) The grant for the Northern Neck of Virginia.

demerits be deprived of that honor & trust: and that Col. Robt. Beverley, Clerk of the Assembly and Col. Edward Hill, President of Charles City County who "have appeared unto us under a character of evil fame and behaviour in their respective offices," be put out of all employment & not admitted to any place of trust until his Maj. pleasure be further known: and that Lord Culpeper be ordered, on his arrival in Virginia to signify his Maj. high resentment of the disloyal and seditious declaration of the Assembly about his Maj. Commiss<sup>rs</sup> calling for their Original Journals &c. and find out the authors & abettors thereof that they may receive the marks of his Maj. displeasure for this their great presumption; approving said Report and that Lord Culpeper's Commission and Instructions be prepared accordingly and Henry Meere [Meese] added to the List of Councillors for Virginia. 7 pp.

(Colonial Entry Bk. No. 80. pp. 266-273.)

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Whitehall, March 19, 1678-9

ORDER OF THE KING IN COUNCIL ON REPORT OF THE COMMITTEE FOR TRADE AND PLANTATIONS of 10 February last [see abstract] on petition of Elizabeth Dudley, widow, approving same and directing Governor Lord Culpeper, on his arrival in Virginia to cause restitution to be made to the petitioner or her assigns of the fifteen hogsheads of tobacco or the true value thereof.

(Colonial Entry Bk. No. 80. pp. 276-8.)

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April 1, 1679

THE KING TO THE COUNCIL OF VIRGINIA. His Majesty has received the ill news of the death of Herbert Jeffreys, Governor of Virginia and has understood by their letter to Sec. Coventry that they have received Sir Henry Chicheley as Deputy Governor according to the King's Commission under privy seal heretofore given to him. Well approves of this act of obedience. Is resolved to send Thos. Lord Culpeper, Governor, by the first ships and in the mean time his Maj. requires that all further suits relating to the late Rebellion be superseded until his arrival.

(Colonial Entry Bk. No. 80. p. 304.)

Whitehall, April 2, 1679

THE KING TO SIR HENRY CHICHELEY, DEPUTY GOVERNOR OF VIRGINIA. Approves of his taking upon himself the command of the Colony as Deputy Governor since the death of Lieut. Gov. Herbert Jeffreys—Intends dispatching Thos. Lord Culpeper, Governor, by the next ships with full instructions to settle matters there and requires that in the mean time all further suits relating to the late Rebellion there be superseded till his arrival.

(Colonial Papers. 1. p.) see 12 May 1675.

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Whitehall, April 14, 1679

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS. Lord Culpeper's Commission prepared by the Committee is read, but being doubted whether the same being only during pleasure might not prejudice his Lord's former grant of the Government which is during life, Ordered that M<sup>r</sup> Attorney General prepare such clauses and provisoes as may secure his Lordship's right. Lord Culpeper's Instructions read and approved. Their Lordships taking notice of the Complaints made in Virginia of the heaviness of taxes raised by poll order an Instruction to be prepared that his Lordship recommend to the Assembly the finding out a more equal and easy way for levying money—Sec. Coventry acquaints the Committee in reference to Robt. Ayleway's petition that the place of Auditor of Virginia had been formerly possessed by Col. Nath. Bacon & confirmed to him under his Maj. Sign Manual in 1675 & that Ayleway's Patent ought to be void as obtained without a knowledge of the right already vested in Bacon.

(Colonial Entry Bk. No. 105. pp. 325-6.)

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Whitehall, April 16, 1679

MINUTES OF A COMMITTEE OF TRADE AND PLANTATIONS. Acts of Oblivion, of Naturalization, and for raising a public revenue in Virginia read and approved. Several Laws made by Sir Wm. Berkeley on 20 Feb'y 1676-7 to be repealed according to an Instruction given to Lord Culpeper, viz.—Acts of Free Pardon, of Attainder, inflicting Pains, Penalties and Fines

upon great offenders, for the relief of loyal persons who have suffered loss by the late Rebels, limiting times of receipt and payment of public tobaccos, regulating Ordinaries and the prices of Liquors, disposing Amerciaments upon past actions, concerning servants who were out in Rebellion, & for laying of Parish levies: as also two Acts passed at Middle Plantation 10 Oct. 1677 viz—for delivery of stray horses &c. and for signing executions on judgments.

Their Lordships having thus finished Lord Culpeper's Commission and Instructions & the Acts before mentioned agree to report that same be transmitted to Sec. Coventry to be dispatched with all speed: also that the Master of the Ordnance take care to change the powder now in Virginia. All which is ordered same day in Council & the papers delivered to Sec. Coventry on 20<sup>th</sup> Inst.

(Col. Entry Bk. No. 105. pp. 327-328.)

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Whitehall, April 16, 1679

ORDER OF THE KING IN COUNCIL. That Lord Culpeper's Commission and Instructions and the Acts of Oblivion and Naturalization be transmitted to Secretary Coventry to be dispatched with all convenient speed.

(Colonial Entry Bk. No. 80. p. 312.)

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May 1, 1679

MEMORANDUM OF RECEIPT BY JA: KENVIN of papers from William Blathwayt relating to the case of the Widow Dudley of Virginia, including her petitions to the King, Sir Wm. Berkeley and the Commissioners of Virginia—together six papers.

(Colonial Papers.)

## SIR HENRY CHICHELEY TO SECRETARY COVENTRY.

(Copy)

Read in Council July 25, 1679.

Virginia, May 20, 1679.

Right Hon'ble

The Inclosed is a Letter from the General Assembly of Virginia to His most Sacred Ma<sup>ty</sup>, being a compendious Narrative of this Countrys sufferings and our humble supplications for such relief as to His Ma<sup>ties</sup> wisdom shall seem meet. Upon which I beg leave to enlarge in this Address to your worthy Self. To whose promise the affairs of this place do properly belong and of whose Justice and favour to Our low and calamitous condition myself and the whole Colony are well assured by many past instances. The present Sessions the Assembly received complaints from the Countys Isle Wight, Nanzemond, York and James City in relation to the quartering of His Ma<sup>ties</sup> Soldiers. The two first named by virtue of a Warrant from the late Lieuten<sup>t</sup> Governor having received command to quarter and provide for Major Mutlows Company from the 14<sup>th</sup> July 1677 till the 16<sup>th</sup> January following for which they are still indebted to the said Inhabitants the full and just sum of two hundred and forty nine pounds six shillings and three pence as by account under the hand of John Tong Lieutenant of that Company dated the 26<sup>th</sup> January 1677-8 exhibited by their Burgesses doth appear. The two last mentioned have Yet had no satisfaction for twelve months Quarters and provisions allowed to His Ma<sup>ties</sup> Soldiers now under the Command of Captain William Morris whose pay for no part of that time is yet arrived. So that His Ma<sup>ties</sup> subjects and Soldiers of, and in, this Country are equally distressed; To this may be added that our late troubles and distractions with the frequent incursions of Indians for three years last past and recent murder of our frontier people hath so much impaired our Stocks that the remnant of them will barely give assistance for defence of the Country and support of our familys: I therefore humbly beg Your Honor that in consideration of the vast charge the Inhabitants of this Country have been and daily are at, for pre-



servation of this weak and depopulated place you would be pleased to further our humble motion to his Ma<sup>ty</sup> for release of all Arrears of Quit Rents which having been so long due and amounting to so vast a Sum, would otherwise fall heavy upon all and especially the poorest, with this addition that, for such time as may be agreeable to His Ma<sup>ties</sup> Royal Compassion the Money growīng due from the same may be appropriated to defray part of the Expençe necessary for our safety. For these and all other Favours past and future I have nothing to offer but constant gratitude and assurance that in what I shall be capable will ever be ready to own the Honor I now assume by subscribing

Right Hon'ble  
Your most [humble] servant  
Hen'y Chicheley

To the Right Hon'ble  
Mr Sec'y Coventry  
Principal Sec<sup>ties</sup>  
of State.

A true Copy teste  
W. Davis.

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SIR HENRY CHICHELEY TO THE KING.  
(Copy)  
Read in Council July 25, 1679.

May it please Your most Excellent Ma<sup>ty</sup>

The late intestine divisions of this Your Ma<sup>ties</sup> Colony of Virginia together with the Charge of a tedious War with the Indians who daily make Incursions and sometimes murthers upon us have reduced us to a poor and distressed Estate and enforced us to interrupt Your Ma<sup>ties</sup> most mighty affairs with this our humble supplication in behalf of Y M Soldiers and ourselves. The first of which we have out of the small remnants of our S xxx furnisht with what is necessary for a twelve month past and as in duty bound shall continue our care towards them till Your Ma<sup>ty</sup> shall be pleased to commiserate

both our conditions and in regard of the great losses we have of late sustained We hope that Your Royal Goodness will pardon us our request for remission of all Arrears of Quit Rents due to Your Sacred Ma<sup>ty</sup> and for the supply of the excessive charge we must necessarily undergo in defense of our Frontiers that for such time as Your Royal Wisdom shall allow the same be to that use appropriated.

That Your Ma<sup>ty</sup> may be protected by the King of Kings from all Temporal and Spiritual Enemies and Reigne long in peace and prosperity are the incessant prayers of

Your Ma<sup>ties</sup> most humble and most obedient subjects and servants

Hen: Chicheley  
Mathew Kemp Speaker  
A true Copy teste

W. Davis.

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At the Court at Whitehall the 25<sup>th</sup> July 1679.

Upon reading this day at the Board a Letter from S<sup>r</sup> Hen: Chicheley and the Speaker of the Assembly of Virginia to His Ma'ty together with a Letter from S<sup>r</sup> H. Chicheley to the Right Hon'ble M<sup>r</sup> Sec. Coventry. It is ordered that the same be referred unto the Right Hon'ble the Lords of the Committee for Trade and Plantations to take care therein.

John Nicholas.

A true Copy teste

Wm. Davis.

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AT THE COUNCIL CHAMBER AT WHITEHALL THE SIXTH OF  
AUGUST 1679.

Present

Lord Archbishop of Canterbury

Earl of Halifax

Lord President

Earl of Radnor

Earl of Bridgewater

M<sup>r</sup> Sec. Coventry

Earl of Essex

M<sup>r</sup> Chanc<sup>r</sup> of the Excheq<sup>r</sup>

M<sup>r</sup> Powle

The Right Hon'ble the Lords of His Ma<sup>ties</sup> most Hon'ble Privy Council having perused a Letter from S<sup>r</sup> H. Coventry [Chicheley] Lieuten<sup>t</sup> Governor of Virginia to the Right Hon'ble M<sup>r</sup> Sec'y Coventry dated the 20<sup>th</sup> May last as also our Address to His Ma'ty from the Great Assembly of Virginia in behalf of themselves and His Ma<sup>ties</sup> soldiers for the payment of the Arrears due unto the Country and them and for remission of all Arrears of Quit Rents due unto His Ma'ty as likewise for the Appropriation of such as shall hereafter become due during such term as His Ma'ty shall think fit for the defence of the Colony and their Lordships understanding that the Lords Commissioners of his Ma<sup>ties</sup> Treasury had taken care to provide for their full pay until the first day of Jul. last exclusively think fit to desire the Right Hon'ble M<sup>r</sup> Sec'y Coventry to prepare a Letter for the Royal Signature unto the Right Hon'ble the Lord Culpeper His M. Governor of Virginia directing His Lordship to acquaint the Assembly upon his arrival in Virginia with the care His Ma'ty had taken at the instance of the Lord Culpeper, before the receipt of their Address for payment of their Arrears due unto the Soldiers unto the time above mentioned and for the continuance of the same for the future without any charge or other trouble unto the Colony than only to give credit for their Quarters at two shillings per week each until Money for their discharge can be from time to time remitted. And as for the Quit Rents that His Ma'ty on the Representation of the Lord Culpeper hath also had that matter long before the receipt of that Address under His Royal consideration and will shortly give such Orders as shall consist with His service and ease of the people.

And lastly, to acquaint them that he hath sent some laws to them and given the Lord Culpeper Instructions to signify His further pleasure and Command to them, to which he expects a cheerful and ready compliance assuring them on all occasions of his particular care and Kindness for that His Ma<sup>ties</sup> Colony. And whereas it is convenient for His Ma<sup>ties</sup> service that the Lord Culpepers Additional Commission dated the

be not published until some time after His Lordships arrival the Right Hon'ble M<sup>r</sup> Sec'y Coventry is likewise desired to prepare an Instruction to the L<sup>d</sup> Culpeper whereby his Lordship may be directed to forbear the publication of the said Additional Commission for the space of six Months after his arrival in Virginia if his Lorship shall so think fit.

A true Copy teste

W. Davis.

(To be Continued)